

CLERK'S OFFICE U.S. DIST. COURT
 AT ROANOKE, VA
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 November 06, 2024
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IN THE UNITED STATES DISTRICT COURT
 FOR THE WESTERN DISTRICT OF VIRGINIA
 ROANOKE DIVISION

WILLIAM K. MAY, JR.,

Plaintiff,

v.

JAMES WRIGHT,

Defendant.

Case No. 7:23-cv-00328

MEMORANDUM OPINION

By: Hon. Thomas T. Cullen
 United States District Judge

Plaintiff William K. May, Jr., proceeding *pro se*, filed this civil-rights action under 42 U.S.C. § 1983. By Order entered June 5, 2023, the Court advised Plaintiff that he must notify the Court in writing immediately upon his transfer or release and provide the Court with his new address. (Order, June 5, 2024 [ECF No. 2].) The Court further advised Plaintiff that his failure to provide an updated address would result in dismissal of this action. (*Id.*)

On October 25, 2024, an order mailed to Plaintiff was returned to the Court as undeliverable, indicating that Plaintiff is no longer incarcerated at New River Valley Regional Jail and providing no forwarding address. (*See* Returned Mail [ECF No. 21].) To date, Plaintiff has not provided the Court with an updated address. Accordingly, the Court will dismiss this action without prejudice for failure to comply with the Court's order. *See* Fed. R. Civ. P. 41(b). The Court notes that this dismissal is without prejudice to Plaintiff's opportunity to refile his claims in a separate civil action, subject to the applicable statute of limitations.

ENTERED this 6th day of November, 2024.

/s/ Thomas T. Cullen

HON. THOMAS T. CULLEN
 UNITED STATES DISTRICT JUDGE